UNITED
NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/49/288
S/1994/903
29 July 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Items 38, 40, 78 and 79 of the
provisional agenda*
THE SITUATION IN THE MIDDLE EAST
QUESTION OF PALESTINE
UNITED NATIONS RELIEF AND WORKS
AGENCY FOR PALESTINE REFUGEES
IN THE NEAR EAST
REPORT OF THE SPECIAL COMMITTEE TO
INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF
THE PALESTINIAN PEOPLE AND OTHER
ARABS OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Forty-ninth year

Letter dated 29 July 1994 from the Permanent Observer for Palestine to the United Nations addressed to the Secretary-General

I am instructed by the Executive Committee of the Palestine Liberation Organization, which retains the powers and responsibilities of the provisional Government of Palestine, to bring the following to your attention.

In the light of section B, paragraph 3 of the Washington Declaration of 25 July 1994, which reads, "Israel respects the present special role of the Hashemite Kingdom of Jordan in Muslim holy shrines in Jerusalem. When negotiations on the permanent status will take place, Israel will give high priority to the Jordanian historic role in these shrines. In addition, the two sides have agreed to act together to promote inter-faith relations among the three monotheistic religions.", and also in the light of recent attempts in the Israeli Parliament to adopt a new law which would greatly harm the Palestinian presence and activities in East Jerusalem, it is imperative for us to formally confirm the Palestinian position with regard to Al-Quds al-Sharif.

* A/49/150.

1. Jerusalem remains an integral part of the Palestinian Territory occupied since 1967. Such a position has been repeatedly confirmed by the General Assembly, and by the Security Council in its resolutions such as resolutions 681 (1990) of 20 December 1990, 726 (1992) of 6 January 1992, 799 (1992) of 18 December 1992 and 904 (1994) of 18 March 1994.

2. The international community has never accepted or approved any foreign sovereignty or jurisdiction over East Jerusalem. The Security Council, in its resolutions 252 (1968) of 21 May 1968, 267 (1969) of 3 July 1969, 271 (1969) of 15 September 1969, 298 (1971) of 25 September 1971, 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980, considered, inter alia, Israeli measures and actions which aimed to alter the status of the city as invalid, null and void, and called upon Israeli to rescind all such measures and to refrain from taking any further steps in the future.

3. Jerusalem remains a central issue for the Palestinian people and for the Arab world and Islamic Ummah. Its holy places are of great value for Muslims, Christians and Jews all over the world.

4. In the Declaration of Principles on Interim Self-Government Arrangements (A/48/486-S/26560), signed at Washington on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization, and witnessed by the United States of America and the Russian Federation, the co-sponsors of the peace process, the two parties, in article V, agreed that permanent status negotiations would commence as soon as possible, but not later than the beginning of the third year of the interim period, between the Government of Israel and the Palestinian people's representatives, and that the negotiations would cover remaining issues, including Jerusalem. Accordingly, no party has the right to take any action which would hamper the negotiations or prejudge their outcome.

5. The Israeli Government made a clear commitment that the Palestinian institutions of East Jerusalem were of great importance and would be preserved. Any legislation or action aimed at undermining those institutions or impeding their activities constitutes a clear violation of that commitment and of the letter and spirit of the Declaration of Principles, and would seriously harm the smooth proceeding of the peace process.

The Palestine Liberation Organization, affirming its commitment to the peace process, welcomes the progress made on the Jordanian-Israeli track, including the signing of the Washington Declaration, and expresses its hope that similar progress will soon take place with regard to the Syrian-Israeli track and the Lebanese-Israeli track towards the achievement of a comprehensive peace in the Middle East. At the same time, it affirms the importance of the issue of Jerusalem, calls for the respect of international legitimacy in this regard, and also calls upon Israel to abide by its contractual obligations emanating from the Declaration of Principles with regard to this issue.

I would be grateful if you would arrange to have the text of the present letter distributed as a document of the General Assembly, under items 38, 40, 78 and 79 of the provisional agenda, and of the Security Council.

(Signed) Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations